## NOT FOR PUBLICATION IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA DALE BRETCHES, Plaintiff, No. C 06-05277 JSW v. RICHARD KIRKLAND, **JUDGMENT** Defendant. An order of judgment is hereby entered DISMISSING this action for failure to state a claim upon which relief could be granted. IT IS SO ORDERED. Dated: May 10, 2007 UNITED STATES DISTRICT JUDGE